

1 writing at the top where it says "Informal objection"?

2 A Right.

3 Q The wording at the top of this, obviously not
4 your handwriting, so it appears to be a form that you
5 received from somebody else. Is that correct?

6 A Yes.

7 Q Okay. And my question is: Where did you
8 receive the form? Or from whom did you receive the
9 form, if you recall?

10 A The notary was at the office building of the
11 trailer court, Camelot Estates. And that's -- I went
12 in. The forms were there, and I filled it out and had
13 it notarized.

14 Q Okay. There was like a pile of forms in the
15 trailer court office?

16 A Someone there handed it to me. I think it
17 was probably the notary.

18 Q Okay. And if I can refer you to page 18 and
19 19. Now do you remember who gave you -- again, this
20 appears to be a question and a form. Is that an
21 accurate characterization?

22 A Yes, it's a form.

23 Q Okay. And, if you recall, from whom did you
24 receive this?

25 A It would have been from Doris Smith or

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1 Jean Hillis. They were our -- I was working, and they
2 were the ones that knew how to go about these things.

3 Q Okay. So you had conversations with -- is it
4 fair to say that you had several conversations with
5 Mrs. Hillis and Mrs. Smith over this time period about
6 the KOKS situation?

7 A Well, I talked to several people about it,
8 them too.

9 Q Okay. But you did speak with them?

10 A Yes, my landlord and my neighbors.

11 Q Okay. Did Mrs. Hillis or Mrs. Smith ever
12 tell you that Channel 6 was not a local channel that
13 KOKS was obligated to cure interference to, or words to
14 that effect?

15 MR. SHOOK: Your Honor, I have an objection
16 to that question only because I don't see the relevance
17 here.

18 JUDGE STIRMER: What is the relevance?

19 MR. DUNNE: The relevance, Your Honor, is the
20 general belief that I believe testimony will show that
21 Channel 6 was not a guaranteed -- it is not only that
22 Mrs. Stewart, but other people didn't believe that KOKS
23 was responsible for curing interference with Channel 6.

24 JUDGE STIRMER: What would be the purpose of
25 having that evidence from this witness? State of mind?

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1 Or whether it was an accurate reflection of law or
2 what?

3 MR. DUNNE: No, it was an accurate reflection
4 of people's belief at the time. Once again, Your
5 Honor, the belief of KOKS as to its obligations I think
6 is critical in evaluating a misrepresentation issue;
7 specifically whether people had their complaint cured
8 vis-a-vis Channel 6. It may be that the witness can't
9 answer this witness.

10 JUDGE STIRMER: I will overrule his
11 objection. Do you remember the question, Mrs. Wynn?

12 THE WITNESS: Did --

13 JUDGE STIRMER: Did Mrs. Hillis --

14 THE WITNESS: Hillis?

15 JUDGE STIRMER: -- or Mrs. Smith ever tell
16 you that the station KOKS was under no obligation to
17 correct the problem of receiving Channel 6? Did they
18 ever tell you that?

19 THE WITNESS: I can't remember it if they
20 did.

21 JUDGE STIRMER: All right. You have no
22 recollection of them having told you?

23 THE WITNESS: No.

24 JUDGE STIRMER: Having told you that? All
25 right.

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1 MR. DUNNE: Now, Your Honor, I am going to
2 show Mrs. Wynn what has been marked, identified and
3 admitted as KOKS Exhibit No. 11.

4 BY MR. DUNNE:

5 Q I would like you to take a quick look at
6 that, if you would, Mrs. Wynn.

7 (Pause.)

8 JUDGE STIRMER: Is there any portion that you
9 want to direct the witness's attention to?

10 MR. DUNNE: Well, first I wanted to --

11 BY MR. DUNNE:

12 Q Have you had a chance to read that, Mrs.
13 Wynn?

14 A Let's see.

15 Q My first question to you, and you can
16 continue reading it if you wish. But have you ever
17 seen that before?

18 A Oh. I can't tell you that I did or I didn't.

19 Q Okay.

20 A But I'll tell you that I probably did, but I
21 can't say I did or I didn't.

22 Q Okay. Well, let me direct your attention, if
23 I may, to the last sentence in paragraph one. It is
24 the one that is underlined right there. Okay. Do you
25 recall reading that before today?

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1 A "The FCC states Channel 6 is not an
2 authorized station for this area." I can't remember
3 this specific thing here.

4 Q Okay.

5 A This paper, but --

6 Q If you don't remember, Mrs. Wynn, you don't
7 remember.

8 A Well, that's --

9 Q That is your testimony.

10 MR. DUNNE: Your Honor, I have nothing
11 further.

12 JUDGE STIRMER: Do you have redirect, Mr.
13 Shook?

14 MR. SHOOK: Probably only one or two
15 questions.

16 REDIRECT EXAMINATION

17 BY MR. SHOOK:

18 Q Mrs. Wynn, with respect to your listening to
19 your FM radio, the position in your house at Camelot
20 Estates of that radio didn't change from the time KOKS
21 came on the air until you moved to Arkansas? Is that
22 the case?

23 A Yeah, that's right.

24 Q Now --

25 A May have took it out for an hour or two and

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1 changed it, but it always went back by my bed.

2 Q All right. Now if you could look back to,
3 you know, before you moved, so from October of 1992,
4 going back in time, do you recall what for, say the
5 prior year, a typical day for listening to the radio
6 would have been in terms of what you were able to hear
7 and what you weren't able to hear?

8 A I don't know exactly how to answer that,
9 except that my radio is important to me, and has been
10 for a long time, to hear it. I would listen to it
11 regardless, but I wouldn't like it if the sound wasn't
12 good. And there were times the sound was not good.
13 There was times when it was all right.

14 Q Could you discern any pattern to when the
15 sound was acceptable or that you liked and then the
16 sound was not as good?

17 A Well, of course, I mainly listened to it at
18 night, and that is when the sound would either be bad
19 or good.

20 Q All right. When it was good, would it be
21 good for how long a period of time?

22 A Possibly for hours or all night.

23 Q All right. Now when it wasn't good, what
24 time period would be involved with that?

25 A It would probably have been in the evening

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1 hours, sometime from around 10 o'clock.

2 Q Right. Now I don't mean necessarily when you
3 listened to the radio. I mean, you are now listening
4 to the radio. You have got the radio on, and it is not
5 playing or the music is not coming out the way you
6 would like it to. If that were the case, how long
7 would that situation last?

8 A Well, it would be a matter of an hour or
9 more. It would be quite a length of time. If it was
10 bad, it was bad.

11 Q In other words, if you turned it on to listen
12 and it happened to be bad that night, it would
13 generally stay bad the entire time you had it on?

14 A Uh-huh. Now there was a long time there that
15 I would listen, and at midnight when the radio station
16 went off, then the sound would be good then.

17 Q Now what period of time is this?

18 JUDGE STIRMER: What radio station are you
19 talking about? KOKS?

20 THE WITNESS: I am talking about KOKS,
21 because there was a while there that they went off the
22 air, if I am not mistaken, at midnight, and then it
23 would just be fine.

24 JUDGE STIRMER: And your radio reception was
25 fine before they went on the air?

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1 THE WITNESS: Yes.

2 MR. SHOOK: Your Honor, I have no further
3 questions.

4 JUDGE STIRMER: All right. Do you have any
5 further cross, Mr. Dunne?

6 MR. DUNNE: No, I don't, Your Honor.

7 JUDGE STIRMER: May the witness be excused?

8 MR. DUNNE: Yes, she may.

9 JUDGE STIRMER: Thank you very much, Mrs.
10 Wynn.

11 MR. DUNNE: Thank you, Mrs. Wynn.

12 THE WITNESS: You are welcome.

13 JUDGE STIRMER: You are excused.

14 (The witness was excused.)

15 JUDGE STIRMER: Do you have another witness,
16 Mr. Shook?

17 MR. SHOOK: Mr. Ramage should be out there.

18 JUDGE STIRMER: Very well.

19 (Off the record.)

20 (Back on the record.)

21 JUDGE STIRMER: Mr. Shook, do you have
22 another witness to present at this time?

23 MR. SHOOK: Yes, I do, Your Honor. I have
24 Mr. Ronald Ramage.

25 JUDGE STIRMER: Mr. Ramage, would you please

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1 | come forward and be sworn? Raise your right hand,
2 | please.

3 |

4 | Whereupon,

5 |

RONALD RAMAGE

6 | having been first duly sworn, was called as a witness
7 | herein and was examined and testified as follows:

8 |

JUDGE STIRMER: Would you have a seat,
9 | please, sir? Now, Mr. Ramage, you have submitted sworn
10 | written testimony in this proceeding.

11 |

THE WITNESS: Yes, sir.

12 |

JUDGE STIRMER: Is that correct?

13 |

THE WITNESS: Yes.

14 |

JUDGE STIRMER: All right. Now Mr. Dunne has
15 | asked to cross-examine you, and that is the purpose of
16 | why you are here.

17 |

THE WITNESS: Okay.

18 |

JUDGE STIRMER: All right.

19 |

MR. SHOOK: Your Honor, before we start with
20 | that, if my recollection serves, when we were at the
21 | admissions session, there were a number of areas that I
22 | would be allowed to ask questions of Mr. Ramage because
23 | of various questions that arose concerning another --

24 |

JUDGE STIRMER: Oh, those two other reports?

25 |

MR. SHOOK: Well, the two other reports

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1 and --

2 MR. DUNNE: Excuse me. Is this something
3 that we ought be discussing with witnesses present?

4 MR. SHOOK: If it is not acceptable to you,
5 we can have --

6 MR. DUNNE: I am asking you, Jim, because I
7 don't know what you are going to raise.

8 MR. SHOOK: No, I don't think there is a
9 problem.

10 MR. DUNNE: Okay.

11 MR. DUNNE: In any event, I thought there
12 were several subject areas that, you know, I would be
13 asking a few questions about before Mr. Dunne went into
14 his cross-examination.

15 JUDGE STIRMER: What specific areas?

16 MR. SHOOK: Well, I'll tell you what. What I
17 have can wait. If it doesn't come out on cross-
18 examination, it may not even be necessary.

19 JUDGE STIRMER: All right. Maybe you can --

20 MR. SHOOK: It is not --

21 JUDGE STIRMER: All right. Let's proceed.

22 MR. DUNNE: Thank you, Your Honor.

23 CROSS-EXAMINATION

24 BY MR. DUNNE:

25 Q Good evening, Mr. Ramage. My name is

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1 Joseph Dunne. I am counsel for Calvary Educational
2 Broadcasting Network Inc. I am going to be asking you
3 questions about your written testimony. I want to make
4 sure before we begin that you understand that our
5 purpose here is to get an accurate answer from you. So
6 if you don't hear my question -- and it is getting
7 late, so we can mumble as we get, as time goes on --
8 but you correct me, or if you don't understand my
9 question. I also want you to be sure that when you
10 answer a question that you understand that I want what
11 you recall, what you remember or recall. Okay? Now
12 your written testimony, Mr. Ramage, was prepared in the
13 normal course of your business as an engineer for the
14 FCC. Is that correct?

15 A That is correct.

16 Q And you work in the Kansas City Field Office?

17 A That is correct.

18 Q Now are you the author of this report?

19 A Yes.

20 Q Are you the sole author of this report?

21 A Yes.

22 Q Mr. Gusick didn't have anything to do with
23 the preparation of this report?

24 A No, he did not.

25 Q He did not? He had no input in the

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1 preparation of this report?

2 A Not in the preparation of the report.

3 Mr. Gusick was a new engineer who had only been with us
4 a couple of months, and so he was here basically to
5 assist me in getting the data when I was here in
6 February.

7 Q Okay. Would it be fair to say that Mr.
8 Gusick essentially was kind of the rookie watching the
9 professional undertake an investigation?

10 A Yes.

11 Q And, Mr. Ramage, do you know Clarke Poole?

12 A Yes.

13 Q Does he also work at the Kansas City Field
14 Office of the FCC?

15 A No, he does not.

16 Q But at one time he did?

17 A Not to my knowledge, he is not. No.

18 Q Okay. How do you know Clarke Poole?

19 A He works for the Grand Island, Nebraska,
20 Field Office.

21 Q Okay. How long have you worked for the FCC
22 Field Office in Kansas City?

23 A I began work with them in September 1983.

24 Q Okay. And Clarke Poole didn't work for the
25 Kansas City Field Office?

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1 A No.

2 Q Okay. What about Mrs. Karen Raines?

3 A Mrs. Raines has been employed by the Kansas
4 City Office and still is employed in that capacity.

5 Q Okay. And what is her capacity at the Kansas
6 City Field Office?

7 A Her title is Public Affairs Specialist.

8 Q Okay. Is Mr. Moffit employed, now employed
9 by the Kansas City Field Office of the FCC?

10 A No, he is not.

11 Q Was there a time when he was, to your
12 knowledge?

13 A Yes.

14 Q When did he stop working for the Kansas City
15 Field Office?

16 A I believe it was December of 1991. He was
17 transferred to the Los Angeles Field Office. I say he
18 was transferred. He voluntarily transferred. It was
19 an upgrade for him.

20 Q Okay. Before you made your inspection of
21 February of 1992, did you review any documents or files
22 in connection with your inspection?

23 A What kind of documents?

24 Q Well, that is a yes-or-no.

25 A Oh.

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1 Q Did you review any documents?

2 A Yes, I reviewed some documents.

3 Q Okay. Can you describe for us what documents
4 or files you did review, if you recall?

5 A Pertaining to the station. I believe I
6 reviewed the last inspection that was conducted at the
7 station.

8 Q And that last inspection, Mr. Ramage, would
9 have been by whom?

10 A Mr. Moffit.

11 Q Okay. Was there any other documents that you
12 may or may not have reviewed other than Mr. Moffit's
13 last inspection?

14 A I do not recall.

15 Q Okay. Do you recall reviewing any Commission
16 orders having to do with the station?

17 A No, I do not.

18 Q Okay. Specifically, Mr. Ramage, may I refer
19 your attention to what has been admitted as Mass Media
20 Bureau Exhibit No. 24? It is one of those big, heavy
21 books right in front of you.

22 MR. SHOOK: Your Honor, may I?

23 JUDGE STIRMER: Yes. Would you assist the
24 witness, please, Mr. Shook? Hopefully, we will become
25 more familiar with these volumes.

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1 (Pause.)

2 BY MR. DUNNE:

3 Q Mr. Ramage, is that a document that you may
4 or may not have reviewed prior to your inspection of
5 KOKS?

6 A I do not recall reviewing this document
7 before that inspection.

8 Q But you have no distinct recollection of not
9 reviewing it? You just don't remember?

10 A I just don't remember.

11 Q Are there any other FCC documents or letters
12 to the applicant that you recall reviewing prior to
13 your inspection of 1982, February of 1992?

14 A No.

15 Q Did you review Clarke Poole's inspection
16 report?

17 A I have, but not before the inspection.

18 Q Okay. So that was not something that you
19 read prior to going to KOKS?

20 A Not to my knowledge, I did not read it.

21 Q Okay. Now to kind of speed things up,
22 Mr. Ramage, Clarke Poole's -- Mr. Moffit's report has
23 admitted into evidence as KOKS Exhibit No. 6, and I am
24 going to approach you and show you something.
25 Unfortunately, it is not up there, and I will show it

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1 to you.

2 A All right.

3 Q It is Exhibit No. 6, and I am showing you the
4 page that reads, "Broadcast Inspection Data Summary."

5 A Uh-huh.

6 Q Okay. Is that a standard FCC form that field
7 inspectors use?

8 A Yes.

9 Q Mr. Ramage, was that a form that you used in
10 your inspection in February of 1992?

11 A Yes.

12 Q That form is not -- I know this is not in
13 this report. Is that correct?

14 A I do not recall whether it is or not. I do
15 not believe it is.

16 Q Okay. But is something that you did fill out
17 in connection with the --

18 A Yes.

19 Q Okay. Can you tell us, Mr. Ramage, what
20 prompted this particular inspection, if anything?

21 A We had received, our office, the Kansas City
22 Office, had received a request from the Mass Media
23 Bureau.

24 Q Mr. Ramage, could you speak up a little bit?
25 I am having trouble hearing you.

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1 A Yes, okay. Our Kansas City Office had
2 received a request from the Commission's Mass Media
3 Bureau. And I am not sure where the request
4 originated, but we received a request to go to Poplar
5 Bluff and inspect the station and also to look at a set
6 number of complainants' homes to see what had or had
7 not been done by the station to resolve interference.

8 Q Okay. You say you received from the Mass
9 Media Bureau. Was this a written sort of communication
10 or an oral communication, if you know or recall?

11 A I believe it was a written communication
12 forwarded through what we call our Enforcement
13 Division, the FCC Enforcement Division.

14 Q Okay. So when you received this written
15 document in Kansas City, the people who were to be
16 visited were already identified?

17 A Yes.

18 Q And you had no input into who was being
19 visited and who wasn't?

20 A That is correct.

21 Q To your knowledge, did anyone in the Kansas
22 City Field Office have any input into who was being
23 visited and who wasn't?

24 A Not to my knowledge.

25 Q There has been extensive testimony, Mr.

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1 | Ramage, concerning various complaints that got sent to
2 | the Kansas City Field Office with respect to this case.
3 | Are you aware of those complaints, or were they part of
4 | the file?

5 | A I am aware that there were several complaints
6 | submitted.

7 | Q When you say "several," what do you mean by
8 | "several"?

9 | A It is my understanding that a petition had
10 | been signed or a large number of complaints. I am not
11 | sure of the exact number. It would be in excess of 10,
12 | maybe more.

13 | Q To your knowledge, have there been any
14 | contacts, oral contacts, that weren't in forms of
15 | petitions with your office concerning this case?

16 | A I am sure that, yes, there was, to my
17 | knowledge. And Mrs. Raines had indicated that she had
18 | received some phone calls.

19 | Q Okay. You didn't receive any phone calls?

20 | A No.

21 | Q Prior to your inspection, you didn't receive
22 | any phone calls?

23 | A No.

24 | Q After the inspection, did you receive any
25 | phone calls?

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1 A From?

2 Q From people in Kansas City concerning this
3 case? From people in Poplar Bluff with respect to this
4 case?

5 A No, I do not recall any further phone calls.

6 Q Mr. Ramage, I would like to -- am I
7 pronouncing your name correctly? It is Ramage, isn't
8 it?

9 A Yes.

10 Q If I may refer you to Attachment A of your
11 testimony, page 16, if you would make quick reference
12 to that. It is in Volume I of our big set of books
13 here.

14 A Attachment A?

15 JUDGE STIRMER: Page 16.

16 THE WITNESS: Page 16, Attachment A? All
17 right, yes.

18 BY MR. DUNNE:

19 Q Okay. Do you recall where these measurements
20 were taken?

21 A Yes, I do.

22 Q And where was that, Mr. Ramage?

23 A There was a road that runs to the KOKS tower
24 from the highway out here. The road runs basically
25 north and south. It was right on the curve of the

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1 road, which would be, I believe, north of the tower.

2 Q Was there any particular reason that you
3 chose that particular site for your tower measurements?

4 A Because I knew the Smiths and Hillises were
5 some of the main people involved in the case. They
6 lived in that area. The tower was in that area. And
7 the reason that I wanted to take them there was to try
8 to pick a spot that could be repeatable, where I could
9 check it during the week.

10 Q Okay.

11 A So I wanted an easily accessible place that
12 was near the tower.

13 Q Okay. I notice that you didn't take any
14 measurements for Channel 15?

15 A No.

16 Q Is there any reason that you didn't?

17 A It was there in town. It was very close to
18 the tower. It wasn't a worry as to whether or not they
19 were getting enough signal from Channel 15, to me. I
20 did not worry about Channel 15 having enough signal in
21 that area, serving that area.

22 Q Mr. Ramage, if I were to use the term
23 "ghosting," would you understand what I meant?

24 A Yes.

25 Q Could you describe it? What would you mean

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1 | if you were to use the word "ghosting"? That is a
2 | better question.

3 | A Ghosting to me is when you are trying to
4 | watch one TV picture and you see another picture or the
5 | same picture in the background where it is not -- it is
6 | kind of a fuzzy picture, but you may see other things
7 | moving in the background indicating like there may be
8 | two different signals trying to be viewed at the same
9 | time.

10 | Q Okay. Is there a technical explanation for
11 | ghosting?

12 | A Usually it is two signals reaching the
13 | receiver at different times, reflecting off of man-made
14 | objects or other objects so that you have a TV signal
15 | coming directly from maybe a TV transmitter and another
16 | signal that maybe the transmitter is bouncing off of a
17 | water tank or other object so that you get two separate
18 | signals at different times. So the TV is trying to
19 | view these two different signals that are not in sync.

20 | Q All right. There has been testimony here in
21 | this proceeding that ghosting sometimes affects TV
22 | stations' signals right under their tower. Are you
23 | familiar with that phenomenon?

24 | A I haven't found it myself, but I would not be
25 | surprised if that could occur.

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1 Q Why would you not be surprised that it would
2 occur?

3 A Because, again, it is, it can be reflecting
4 off of nearby objects. It just takes two signals
5 arriving at the TV set at different times.

6 Q Do TV signals reflect off of metal objects
7 more than, for example, towers or -- water towers? I
8 think you mentioned water towers?

9 A Yes. They would tend to reflect off of metal
10 objects more than, say, the ground or trees.

11 Q Okay. And that might create ghosting, a
12 ghosting appearance in some instances?

13 A I am not sure of your question.

14 Q I said, if a signal were to bounce off of
15 something metal like a tower or a water tower, that
16 that could create a ghosting effect in some receivers?

17 A Yes.

18 Q Okay. The observed measurement of WESD-TV,
19 Channel 6, that is a licensed to what community, if you
20 know, Mr. Ramage?

21 A I believe that is Paducah, Kentucky.

22 Q Okay. And how far away is Paducah, Kentucky,
23 from these measurements, where these measurements were
24 derived?

25 A By my calculations, it is approximately 86

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1 | miles from the KOKS tower.

2 | Q Okay. Now 400 UV/M? Can you translate that
3 | to English for us?

4 | A UV is microvolts, and M is for meter, slash
5 | M. UV is microvolts per meter. It is a unit of
6 | measurement of field strength.

7 | Q Okay. In the TV rules, I forgot the section
8 | -- I am sure you know -- that the Commission defines
9 | certain field strength contours. For example, a city
10 | grade is a 80-DB contour, and Grade A is a 74-DB
11 | contour. Am I accurately quoting the figures, Mr.
12 | Ramage?

13 | A I am not positive what the figures are. I
14 | know there are contours, but I do not know what the
15 | figures are.

16 | Q Okay. Do you know, if you were -- could you
17 | translate microvolts per meter into DB or DBU?

18 | A I would have to look it up. I do not know
19 | off the top of my head.

20 | Q Would you know off the top of your head
21 | whether 40 microvolts per meter -- or excuse me, 400
22 | microvolts per meter -- would equal 64 DBU?

23 | A No, I would not know that.

24 | Q You don't know?

25 | A No, I do not know.

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1 Q Do you know of your own personal knowledge
2 whether WESD-TV's Grade B contour covers Poplar Bluff?

3 A I do not believe that it does.

4 Q Okay. Now what about KAIT-TV, Channel 8, do
5 you know where that station comes from?

6 A Channel 8 is Jonesboro, Arkansas.

7 Q And how far aware is that from the place that
8 you took these measurements?

9 A From my calculations, it is approximately 68
10 miles.

11 Q And if I were to ask you to change 935
12 microvolts per meter into DVU, you couldn't do that off
13 the top of your head either?

14 A No.

15 Q Okay. Mr. Ramage, I would like to refer you,
16 if I may, to what has been marked and admitted into
17 evidence as KOKS Exhibit No. 5, FCC Report of Clarke
18 Poole. And I would like to refer you to paragraph 4
19 here. I would like you to read that, these lines here,
20 to yourself.

21 A Okay.

22 JUDGE STIRMER: What page are you on?

23 MR. SHOOK: What page are we on?

24 MR. DUNNE: I'm sorry. That is KOKS

25 Exhibit 5, page 3, the third and the fourth paragraphs.

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1 JUDGE STIRMER: Concerning to the
2 measurements?

3 MR. DUNNE: Yes, sir. Mr. Shook, do you mind
4 if I stand close to the witness since he has got my
5 only --

6 MR. SHOOK: No.

7 MR. DUNNE: Your Honor, do you have any
8 problems with that?

9 BY MR. DUNNE:

10 Q Now your testimony is that you did not review
11 this particular report before you inspected KOKS in
12 Poplar Bluff. Is that correct?

13 A Not to my knowledge.

14 Q But you have looked at this report since you
15 inspected KOKS? Is that your testimony?

16 A Yes.

17 Q So you have read before, sometime between
18 February 1992 and today's date?

19 A Yes.

20 Q Okay. It notes that these measurements were
21 taken at widely separated locations rather than one
22 location. Is that correct?

23 A Correct.

24 Q Now these figures are very different than
25 your figures. Is that correct?

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